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7 UNITED STATES DISTRICT COURT  
8 WESTERN DISTRICT OF WASHINGTON  
9 AT TACOMA

10 KEITH L. NASH AND JAMAR HURSE,

11 Plaintiffs,

12 v.

13 RICK ROBINSON, *et al.*,

14 Defendants.

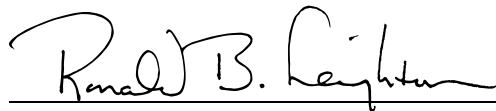
Case No. 09-5178RBL/JRC

ORDER ADOPTING THE REPORT AND  
RECOMMENDATION TO DENY CLASS  
CERTIFICATION

15 The Court having reviewed the Report and Recommendation of the Hon. J. Richard  
16 Creatura, United States Magistrate Judge, objections to the Report and Recommendation, if any,  
17 and the remaining record, does hereby find and Order:

- 18 (1) The Court adopts the Report and Recommendation;  
19 (2) This motion for class certification is **DENIED** for the reasons stated in the  
20 Report and Recommendation.  
21 (3) The clerk is directed to send copies of this Order to Plaintiffs, and the  
22 Hon. J. Richard Creatura.

23 DATED this 1<sup>st</sup> day of March, 2010.

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26 RONALD B. LEIGHTON  
UNITED STATES DISTRICT JUDGE